

# SHIRE OF MERREDIN



**“Heart of the Wheatbelt”**

**MINUTES OF ORDINARY COUNCIL MEETING**

**19 June 2012**

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**Minutes of the Ordinary Meeting of the Shire of Merredin held in the Council Chambers, Corner King and Barrack Streets, Merredin on Tuesday 19 June 2012 commencing at 1.00pm.**

**ATTENDANCE:**

Councillors:	D Crook	Shire President
	M Morris	Deputy Shire President
	RM Crees	
	DN Hayes-Thompson	
	KA Hooper	
	D Morris	
	W Wallace	
Leave of Absence:	BJ Anderson	
Apology:	T McFarlane	
Staff:	G Powell	Chief Executive Officer
	J Garrett	Executive Manager Engineering Services
	M Ioppolo	Executive Manager Development Services
	L Wyatt	Executive Assistant to Chief Executive Officer

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**1.0 OFFICIAL OPENING**

The President declared the meeting open at 1.00pm. Mario Ioppolo was present.

**2.0 PUBLIC QUESTION TIME**

Nil

**3.0 APOLOGIES AND LEAVE OF ABSENCE**

Nil

**4.0 DISCLOSURE OF INTEREST**

Councillor D Morris declared a Financial Interest in item 13.8: Merredin Community Resource Centre - Relocation.

Councillor M Morris declared a Financial Interest in item 13.8: Merredin Community Resource Centre - Relocation.

**5.0 PETITIONS AND PRESENTATIONS**

Nil

**6.0 CONFIRMATION OF MINUTES**

6.1 Ordinary Council Meeting

Confirmation of the minutes of the Ordinary Council Meeting held on 15 May 2012.

**30892**

Moved: Cr Hooper

Seconded: Cr D Morris

**Officer's Recommendation**

***That the minutes of the Ordinary Council Meeting held on 15 May 2012 be confirmed as a true and correct record of proceedings.***

**CARRIED 7/0**

**7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

Nil

**8.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

Nil

**9.0 RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL**

9.1 Minutes of Special Council Meeting held 7 June 2012

**Attachment 9.1A**

9.2 Minutes of the Great Eastern Country Zone Meeting held 14 May 2012

**Attachment 9.2A**

9.3 Minutes of the WE-ROC Executive Meeting held 17 May 2012

**Attachment 9.3A**

9.4 Minutes of the WE-ROC Council Special Meeting held 24 May 2012

**Attachment 9.4A**

9.5 Aged Accommodation Working Group  
**Attachment 9.5A**

**Working Party Recommendations**

**That Council support the following recommendations**

- Merrittville Retirement Village Committee be supported in principle and encouraged to investigate methods of increasing the number of units.
- Merrittville Retirement Village Committee be encouraged to plan for replacement and/or refurbishment of the older units at Merrittville.
- That Council proactively encourage Global Care Group Inc to develop.
- That Council request from HACC their future plans and intentions for home services to aged clients that will enable them to remain in their homes for longer.
- That Council continue to work with SIHI representatives and Global to ensure a dementia facility is established in Merredin in the near future to cater for Central Wheatbelt residents.
- That Council take into consideration the report from the Central East Aged Care Regional Solutions Plan that is currently being prepared by Verso.

9.6 Central Wheatbelt Visitors Centre – MOU Working Group Meeting held 24 May 2012.  
**Attachment 9.6A**

9.7 Minutes of the WE-ROC Executive Meeting held 30 May 2012.  
**Attachment 9.7A**

**30893**

Moved: Cr Hooper

Seconded: Cr D Morris

**Officers Recommendations:**

*That the minutes of the Special Council Meeting held 7 June 2012, the Great Eastern Country Zone meeting held 14 May 2012, the WE-ROC Executive meeting held 17 May 2012, the WE-ROC Council Special meeting held 24 May 2012, Aged Accommodation Working Group Report, the Central Wheatbelt Visitors Centre – MOU Working Group meeting held 24 May 2012 and the WE-ROC Executive Meeting held 30 May 2012 be received en bloc.*

**CARRIED 7/0**

**Officers Recommendations:**

***That the recommendations of the Aged Accommodation Working Group be endorsed.***

**CARRIED 7/0**

**30894** Moved: Cr D Morris Seconded: Cr Hayes-Thompson

***That Council support the following recommendations***

- 1. Merrittville Retirement Village Committee be supported in principle and encouraged to investigate methods of increasing the number of units.***
- 2. Merrittville Retirement Village Committee be encouraged to plan for replacement and/or refurbishment of the older units at Merrittville.***
- 3. That Council proactively encourage Global Care Group Inc to develop aged care facilities and accommodation in the region and Merredin.***
- 4. That Council request from HACC their future plans and intentions for home services to aged clients that will enable them to remain in their homes for longer.***
- 5. That Council continue to work with SIHI representatives and Global to ensure a dementia facility is established in Merredin in the near future to cater for Central Wheatbelt residents.***
- 6. That Council take into consideration the report from the Central East Aged Care Regional Solutions Plan that is currently being prepared by Verso.***

**CARRIED 7/0**

9.8 Audit Committee Meeting held 19 June 2012.

**30895** Moved: D Morris Seconded: D Hayes-Thompson

***That the Minutes of the Audit Committee meeting held on 19<sup>th</sup> June 2012 be received with amendments reflecting the word "minutes" instead of "Agenda" and Cr K Hoopers apologies being included and that the committee recommendations be adopted.***

**CARRIED 7/0**

10.0 **DEVELOPMENT SERVICES**

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10.1 **BUILDING SERVICES – STATUTORY FEES UPDATE**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Mario Ioppolo
<b>Legislation:</b>	The Building Act 2011, and The Building Regulations 2012.
<b>File Reference:</b>	
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	The Shire of Merredin’s Schedule of Fees and Charges – Statutory 2012/2013. The Amended Merredin’s Schedule of Fees and Charges – Statutory 2012/2013

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**Background:**

The new Building Act 2011 and the new Building Regulations 2012 were proclaimed on the 2 April 2012, which also included Statutory Fees.

The Building Regulations 2012, Schedule 2 – Fees set out the statutory fees for Building Services that Local Authorities are required to carry out.

**Comment:**

The existing “Shire of Merredin’s Schedule of Fees and Charges – Statutory 2012/2013”, should be amended to reflect the fees as per the “Building Regulations 2012, Schedule 2 – Fees” by:

1. Updating the “Shire of Merredin’s Schedule of Fees and Charges – Statutory 2012/2013”, section “Building Control”, part “Building Permits” and part “Occupancy Applications”; and
2. Deleting non statutory fees.

**Statutory/Policy Implications:**

Nil

**Financial Implications:**

Nil.

**30896** Moved: Cr K Hooper                      Seconded: Cr W Wallace

**Officer’s Recommendation:**

***That the amended Shire of Merredin’s Schedule of Fees and Charges – Statutory 2012/2013 as attached be adopted***

**CARRIED 7/0**



10.2 **BUILDING SERVICES – NON STATUTORY FEES UPDATE**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Mario Ioppolo
<b>Legislation:</b>	The Building Act 2011, and The Building Regulations 2012.
<b>File Reference:</b>	
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Non Statutory Fees and Charges for Building Surveying Services Page 6 of the Shire of Merredin's Schedule of Fees and Charges – Council. Amended page 6 of the Shire of Merredin's Schedule of Fees and Charges – Council.

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**Background:**

The new Building Act 2011 and the new Building Regulations 2012 were proclaimed on the 2 April 2012.

The Building Regulations 2012, Schedule 2 – Fees, set out the statutory fees for Building Services that Local Authorities are required to carry out.

The Act and Regulations also provide for Non Statutory Building Surveying Services which Local Authorities, through their Registered Building Surveyor, may choose to carry out and also set the fees and charges for those services.

**Comment:**

Although Non Statutory Building Surveying Services are generally carried out by the private sector (private Registered Building Surveyors), the new Building Act 2011 provides for both, Private and Local Government employed Registered Building Surveyors to provide these services.

At an early meeting on the implications of the new Building Act 2011, the Building Commissioner, Peter Gow, had indicated that he expected that many Local Authorities would establish a "Business Unit" for this purpose.

So far, a handful of Local authorities have established their Business Units and are providing services to a number of other Local Authorities.

By the Shire of Merredin delivering non statutory building surveying services, it would provide our community with an economical and timely service not readily available in country areas.

This service could also be extended to neighbouring Shires and or their ratepayers. It is, however noted, that these Building Surveying Services would be at the discretion of the Registered Building Surveyor and the CEO who may not wish to provide all or any of the services.

The proposed fees have been determined on a cost recovery basis of wages and overheads.

The requirements of the new Building Act and Regulations have placed greater workloads and responsibilities on the Building Surveyor and the Local Authority, but it would be a cost benefit and a convenience to our ratepayers if the Shire could provide a service similar to the old legislation, that is, the ability to assess Building Permits for Classes 2 to 9 buildings, issue Certificates and carry out inspections

Should the demand on the Officers time become excessive, then this matter would be reviewed.

Please refer to Attachment A for details of the proposed services and fees.

**Statutory/Policy Implications:**

Building Act 2011 and Building Regulations 2012.

Nil. Non statutory building surveying services are provided for in the Building Act 2011.

Local Government Act 1995.

Nil. Non statutory building surveying services would be seen as a minor trading activity.

**Financial Implications:**

These services and fees are considered to have nil financial implications as they would be cost neutral.

**30897** Moved: Cr W Wallace                      Seconded: Cr M Morris

**Officer's Recommendation:**

- 1.     *That the Non Statutory Services, Fees and Charges for Building Surveying Services be adopted and placed in the Shire of Merredin's Schedule of Fees and Charges – Council, Professional Services.***
- 2.     *That the amendments to the line items under in the Shire of Merredin's Schedule of Fees and Charges – Council, Professional Services as attached be adopted.***

**CARRIED 7/0**

Mario Ioppolo left the meeting at 1.22pm

Jim Garrett entered the meeting at 1.26pm

## **11.0 ENGINEERING SERVICES**

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### **11.1 HUGHES ROAD - REQUEST FOR BITUMEN SEALING**

<b>Reporting Department:</b>	Engineering Services
<b>Reporting Officer:</b>	James Garrett
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	R1304
<b>Disclosure of Interest:</b>	Nil
<b>Attachment:</b>	Correspondence and Map

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#### **Background**

A letter has been received from Paul and Sue Bartlett (**Attachment 11.1A**) requesting that the Shire bituminize a section of Hughes Road from Naremben Road east to where it intersects with the Great Eastern Highway, as can be seen on attached map. (**Attachment 11.1A**).

Mr Bartlett has indicated that he is willing to split the costs for the work and would like Council to consider the road construction in the 2012/2013 budget.

Hughes Road is not included in the 5 year road program which was endorsed by Council at the Council meeting held on the 15 May 2012(CMRef 30870).

The cost to bituminize to a 6 metre wide seal on the 700 metre section of Hughes Road is \$85,000.

#### **Comment**

The amount of daily traffic that use Hughes Road does not warrant it being bituminised and a cheaper option would be to gravel sheet the road. This could be undertaken within the annual road maintenance program.

#### **Statutory/Policy Implications**

Nil

#### **Financial Implications**

If Council was to fund all of the road construction it would be \$85,000.  
If costs were split between the Shire and Mr Bartlett it would be \$42,500.

**30898** Moved: Cr K Hooper                      Seconded: Cr W Wallace

**Officer's Recommendation**

*That Council advise Mr & Mrs Bartlett that Council will not bitumise the section of Hughes Road as shown on the map in Attachment 11.1A either on a cost share or entire cost basis but will undertake the work on a private works basis.*

**CARRIED 7/0**

11.2 **SCHOOL CHILDREN PEDESTRIAN CROSSING ON GREAT EASTERN HIGHWAY**

<b>Reporting Department:</b>	Engineering and Services
<b>Reporting Officer:</b>	James Garrett
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Minutes and Correspondence Correspondence from Minister Buswell

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**Background**

On the 24 January 2012 a meeting was held to discuss the concerns about the expected increase in school children crossing the Great Eastern Highway with the amalgamation of North Merredin Primary School, South Merredin Primary School and Merredin Senior High School into the new Merredin College. Minutes of the meeting are at **Attachment 11.2A**.

No information has been received by the Shire from the Merredin College regarding the volume of children crossing Great Eastern Highway or if they have applied for a guard controlled crossing.

Council endorsed the reduced speed limit from 70 kph to 60 kph at the December 2011 Council (CMR 30792). This was conveyed to Main Roads and the speed limit on the Great Eastern Highway has been reduced to 60Kph.

Another meeting was held on the 14 February 2012 with Representatives from Brookfields Railway, Main Roads WA and the Executive Manager of Engineering Services, to discuss the railway crossing at the eastern end of the railway museum. It was felt that the crossing did not meet Australian Standards and Brookfields indicated that to bring the crossing up to Australian Standards it would require flashing lights and ringing bells to warn of approaching trains.

Correspondence between Hon Mia Davies MLC and Gerald Morey, Regional Manager of Main Roads Wheatbelt North region regarding what is believed to be Councils responsibilities can also be seen in **Attachment 11.2A**.

Brookfields indicated if they were requested to bring the crossing at the western end up to standard, the museum crossing would also need upgrading and this would be at Councils expense or Council should close the crossing. It also appeared unlikely that Brookfields would agree to meet the costs of the design or the eventual rail crossing improvement costs on the eastern rail crossing.

As Council would be obliged to improve the western rail crossing when or if the other crossing is upgraded, Council would need to resolve to close the rail crossing at the western end of the Railway Museum due to the expected cost to construct a crossing up to Australian Standards.

Hon Mia Davies MLC sent a letter to the Hon Troy Buswell requesting his assistance in resolving the insures that have arisen with the opening of the Merredin College. (**Attachment 11.2A**)

A copy of Hon Troy Buswells letter of reply to Mia Davies MLC is attached (**Attachment 11.2B**). In his letter it indicates the actions that the Shire of Merredin should take to improve the safety of pedestrians in Merredin. The actions are; Cul de Sac Allenby Street at the Great Eastern highway end.  
Construct and improve footpaths.

The Executive Manager of Engineering Services advised Mains Roads at the meeting on the 14 February 2012 that a more practical location for the pedestrian crossing would from the new bridge in Pioneer Park across the highway to Todd Street. They raised concerns about the children crossing Todd Street as it was not marked. He did tell them that a raised pedestrian crossing would slow down traffic to make it safer for the children. Map showing Executive Manager of Engineering Services preferred location can be seen in **Attachment 11.2A**.

The location would benefit all pedestrians in town as wells as primary school children attending Saint Mary's Primary School. The design near Allenby Street would require Saint Mary's student having to walk back west to get to school.

**Comment**

The letter from the Hon Troy Buswell did not commit any government funds to the rail crossing or to Council for the works to construct a Cul de Sac on Allenby Street or for footpath improvements. It stated that funding sources for the longer term treatments needed to be identified from the respective organisations.

To the Executive Manager of Engineering Services knowledge no inspections of the footpaths from the highway to school have been carried out. None of these footpaths are mentioned in the 5 year road program

**Statutory/Policy Implications**

Nil

**Financial Implications**

Nil

**30899** Moved: Cr M Morris                      Seconded: Cr D Morris

**Officer's Recommendation**

- 1) That Council advise Main Roads W.A that the preferred location for the Pedestrian Crossing on Great Eastern Highway is as per Attachment 11.2A.**
- 2) That Council inform Brookfields Railway that when it upgrades the rail crossing at the eastern end of the Railway Museum that the crossing at the western end of the Railway Museum be closed.**
- 3) That Council request Hon Mia Davies to advocate on its behalf for funding to upgrade footpaths from the Great Eastern Highway to the Merredin College and other schools if relevant.**

**CARRIED 6/1**

Jim Garrett left the meeting at 1.45pm

Cr Hooper left the meeting at 1.46pm

**12.0 CORPORATE AND COMMUNITY SERVICES**

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**12.1 LIST OF ACCOUNTS PAID**

<b>Reporting Department:</b>	Finance & Administration
<b>Reporting Officer:</b>	Evelyn Arnold
	Finance and Administration
<b>Legislation:</b>	Local Government Act 1995 & Financial Management Regulations
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	List of Accounts Paid

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**Background**

The attached List of Account Paid (**Attachment 12.1A**) during the month under Delegated Authority is provided for Council's information.

**Statutory/Policy Implications**

Local Government Act 1995 and Financial Management Regulations.

**Financial Implications**

All liabilities settled have been in accordance with the Annual Budget provisions. It should be noted that outstanding creditors total \$92,590.49.

**30900** Moved: Cr M Crees                      Seconded: Cr D Morris

**Officer's Recommendation**

***That Council receive the schedule of accounts as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$1,100,940 from Council's Municipal Fund Bank Account.***

**CARRIED 6/0**

Cr Hooper entered the meeting at 1.47pm.



12.2 **MONTHLY FINANCE REPORT**

<b>Reporting Department:</b>	Finance and Administration
<b>Reporting Officer:</b>	Evelyn Arnold
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Monthly Finance Report

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**Background**

The Monthly Finance Report is attached for Council's information.  
**(Attachment 12.2A)**

**Statutory/Policy Implications**

Local Government Act 1995 and Financial Management Regulations.

**Financial Implications**

As outlined in **Attachment 12.2A**.

**30901** Moved: Cr M Morris                      Seconded: Cr M Crees

**Officer's Recommendation**

***That Council receive the Monthly Finance Report for May 2012.***

**CARRIED 7/0**

12.3 **MERREDIN REPERTORY CLUB - MEMORANDUM OF UNDERSTANDING**

<b>Reporting Department:</b>	Finance and Administration
<b>Reporting Officer:</b>	Evelyn Arnold
<b>Legislation:</b>	Nil
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Final Draft Memorandum of Understanding

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**Background**

After the completion of the Cummins Theatre renovations Council was keen to encourage community groups such as the Merredin Repertory Club (MRC) to utilise this facility. In order to foster clear communications and a good working relationship a Memorandum of Understanding (MOU) was drafted. This MOU ratified by Council in November 2011, is now due to be reviewed.

**Comment**

This MOU is not materially different from the one reviewed by Council in November 2011, except the ticketing fee has been increased from \$2.20 to \$3.50 to reflect an increase in administration charges.

**Statutory/Policy Implications**

Nil.

**Financial Implications**

Nil.

**30902** Moved: Cr K Hooper                      Seconded: Cr W Wallace

**Officer's Recommendation**

***That Council adopt the revised Memorandum of Understanding between the Shire of Merredin and the Merredin Repertory Club as attached.***

**CARRIED 7/0**

**12.4 REVIEW OF THE FINANCIAL RESERVES POLICY**

<b>Reporting Department:</b>	Administration
<b>Reporting Officer:</b>	Evelyn Arnold – Executive Manager of Corporate and Community Services
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	Council Policy Manual 3.18
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Policy

**Background**

Council last reviewed the Financial Reserves policy in March 2010 (**CMRef 30274**). A recent review of the policy has highlighted areas which require clarification.

**Comment**

The reviewed policy is at Attachment 12.4A. This still provides robust guidelines and controls but allows for the better budgetary flexibility. This policy also fits better with current business practice which assists with compliance.

The proposed changes to this policy will have implications for the current budget. These are outlined below:

<b>Reserve</b>	<b>Actual Balance May 2012</b>	<b>11/12 Budgeted Transfer In</b>	<b>11/12 Budgeted Transfer Out</b>	<b>Proposed Transfer In</b>	<b>Proposed Transfer Out</b>
Plant	\$258,331	\$520,000	\$531,000	\$9,100	\$0
Land and Development	\$530,744	\$627,834	\$879,107	\$18,000	Actual cost of Whitfield Way Development Estimated at \$465,000
Recreation Facilities	\$194,997	\$111,233	\$0	\$6,500	\$0
Cummings Street Units	\$35,158	\$11,500	\$18,500	\$1,200 Plus Rental income \$8,895	\$0
Building Reserve	\$313,925	\$20,000	\$43,000	\$11,000	\$51,756 Resolved in December 2011
Waste Management	\$37,885	\$183,000	\$100,000	\$1,500	\$0

The proposed transfers in are an estimate of the interest earned prorated over the reserve balances for the 2011/12 financial year.

The Adopted Budgeted included a provision to transfer the surplus from activities such as the Private Works projects. Whilst these activities have been more profitable than originally expected there have been a number of large unbudgeted expenses, namely the loss made on the Community Concert (\$125,000) and the outlay to the Community Resource Centre (\$100,000) which have utilised this surplus. In addition, the policy allowed for the transfer of depreciation to reserves but as this non cash transaction there is no guarantee that Council will have sufficient cash reserves to support the transaction. And finally the failure to sell the expected number of lots from Whitfield Way means those funds are also not available for transfer to reserves.

The overall net affect will result in a closing reserve balance of approximately \$1,200,000 by 30 June 2012.

**Statutory/Policy Implications**

Local Government Act 1995 and the Local Government Regulations 1996 (amended 2007).

**Financial Implications**

The Plant Replacement costs taken from Municipal Fund are at a net cost of \$56,798.

**Officer's Recommendation**

1. *That Council adopts the Financial Reserve Policy 3.18.*  
*(Simple Majority)*
2. *That Council endorse the changes to the budgeted reserve transfers.*  
*(Absolute Majority)*

**30903** Moved: Cr M Crees                      Seconded: Cr D Hayes-Thompson

**Resolution**

1. *That Council adopts the Financial Reserve Policy 3.18.*

**CARRIED 6/1**

**30904** Moved: Cr M Crees                      Seconded: Cr D Morris

2. *That Council endorse the changes to the budgeted reserve transfers.*

**CARRIED 7/0 BY ABSOLUTE MAJORITY**

12.5 **CENTRAL WHEATBELT VISITOR CENTRE - SUNDAY OPERATIONS**

<b>Reporting Department:</b>	Corporate & Community Services
<b>Reporting Officer:</b>	Evelyn Arnold/Robyn McCarthy
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil

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**Background**

In February 2012, Council determined the weekend opening hours and the use of volunteer personnel in the operation of the Central Wheatbelt Visitors Centre. Since this resolution the Visitors Centre Manger has under taken a campaign to recruit and train volunteers in order to establish a workable weekend roster for Sundays.

**Comment**

The primary function of the Central Wheatbelt Visitors Centre is to provide visitor servicing for both Merredin and the wider region. The services currently provided are:

1. Visitor Information
2. Regional point of visitor contact and enquires – as listed on brochures
3. Transwa Ticketing
4. Cummins Theatre Ticketing
5. Outlet for local and regional products
6. Promote local and regional attractions and events.

The above list is a snap shot of the level of expertise required from our staff. Volunteers are required to acquire this expertise and be able to operate without supervision. This is a unique requirement not expected from volunteers in any other shire operations nor other visitor centres providing a similar service level. To give Council an indication of how other visitor centres work, attached is a brief summary of opening hours and staffing configurations from other similar operations in the surrounding regions.

Under the current operating guidelines (as resolved by Council in February) Sunday operations are to be staffed by volunteers from 9:00am to 4:00pm. It has proved difficult to find a sufficient number of trained volunteers to maintain a regular roster. It is recognised that a point of contact on the weekend for visitor servicing is very important, but that this might be more successful when coupled with an attraction.

An impediment to training of volunteers is training on the Transwa ticketing system. This requirement could be removed as it would appear there is little demand.

The Railway Museum has been approached to see if they would be receptive to the idea of using Visitor Centre volunteers to increase their pool of volunteers and allowing us to establish a visitor information point at the Museum. They have indicated that they feel this is a positive move. There are number of benefits in doing this:

1. It potentially increases the visitor numbers to the museum.
2. It maintains a level of visitor servicing on a Sunday.
3. It builds capacity within the community and encourages local interest in an important attraction.
4. The main road location is likely to attract more visitors.
5. The training requirements for volunteers would be greatly reduced – hopefully attracting more applicants.
6. There would be no additional costs.
7. Volunteers can share the shifts, thus reducing the time burden.

**Statutory/Policy Implications**

Nil.

**Financial Implications**

Nil.

**Officer's Recommendation**

*That Council approve a visitor information point being established at the Railway Museum and that the Visitor Centre Manager confirm a roster of volunteers with the Railway Museum Committee to cover Sundays and implement this change as soon as is practical.*

(Simple Majority)

**30905** Moved: M Morris                      Seconded D Morris

**Resolution**

*That the status quo remain with the requirement to be conversant in TRANSWA ticketing being removed.*

**CARRIED 4/3**

**30906** Moved: K Hooper                      Seconded: D Hayes-Thompson

*That discussions be opened with the Museums with a view to rationalising operations and maximising effectiveness of volunteers.*

**CARRIED 7/0**

**13.0 ADMINISTRATION**

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**13.1 RESERVE 13267 - LEASE**

<b>Reporting Department:</b>	Administration
<b>Reporting Officer:</b>	CEO
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	Lease 6880 and Lease 40
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Reserve Map

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**Background;**

Informal requests have been received from Railway Tennis Club representatives on entering into a new lease for the portion of Reserve 13267 indicated at **Attachment 13.1A**.

Upon further investigation it was found that the current lease arrangements between the Shire of Merredin and the Public Transport Authority (PTA) had lapsed as of 1 November 2010.

Previous lease arrangements with PTA as per the Schedule which should be noted are:

- *License Fee: \$1.00 pa payable on demand.*
- *All charges for services (including but not limited to electricity, gas, water and sewerage and telephone and communications services) used by the Licensee in connection with the License Area and*
- *Any rates, taxes and similar charges and assessments levied in respect of the License Area or the Licensee use or occupation of the License Area;*  
*(Management and administration fees recoverable in accordance with WESTRAIL Commercial Portfolio Management Agreement. (As reasonably determined by Westrail in the case of any charges or assessments which are levied on other land as well as the License Area) direct to the relevant supplier or Authority before they become overdue or otherwise as required by Westrail.)*
- *Permitted Use: Community Purpose (BMX Track)*

Lease arrangements offered to the Merredin Railway Tennis club (which remain unsigned) that should be noted are:

**Term**

*From current date expiring at midnight 30 June 2018.*

**Further Term**

*No further term is offered at this time. Further extension is by an application prior to expiration of the lease and subject to a decision of the Council of the Shire of Merredin.*

**Commencement Date**

*Ongoing lease due to be signed in August 2010. Lessee has use of land and buildings since prior to 2008.*

**Rent**

*No rent is applicable unless the Public Transport Authority place a lease fee on the area of land. If rent is applied to the lease of the land through lease L6880 to the Shire of Merredin, then those costs will be form part of the lease agreement.*

**Outgoings**

*(a) The Lessee must pay all outgoings or charges of any kind assess or incurred in respect of the Premises, or the Lessee's use or occupation of the Premises, including but not limited to, any rate, installation, meter, rental or consumption charge.*

*(b) If the Premises are not separately charged or assessed the Lessee will pay to the Lessor a proportionate part of any charges or assessments referred to in **paragraph (a)** being the proportion that the Premises bears to the total area of the land or premises included in the charge or assessment.*

**Special Conditions**

*a) Lessee is to provide a report to the Chief Executive Officer of the Shire of Merredin in July annually showing that Residual Circuit Devices have been fitted to all power and light circuits, are functioning correctly and have been tested as required by AS3000. A copy of the Electrician's report is to be provided with the report.*

*b) The Lessee is to maintain the building and grounds to comply with the Health (Public Buildings) Regulations 1992*

**Comment**

If the lease offered to the Railway Tennis Club had been signed they would currently be in breach for the following reasons:

- Outgoings have not been met. The amount of \$236.67 remains outstanding for reimbursement of water and sewerage rates; commercial refuse charges are yet to be raised for the 2010/11 and 2011/12 financial years; annual Residual Circuit Devices inspections have not been conducted and no reports have been supplied as required.

In addition, preliminary discussions with the Environmental Health Officer have indicated there is considerable work required to bring the standards of



the building currently occupied by the Sportsman's Club up to an acceptable standard.

Also of note is the purpose of the lease, this is, BMX track does not appear to be relevant.

The first issue that arises is whether Council supports the occupation of the Reserve by the two clubs individually or otherwise. There are a number of issues that arise including standard of facilities, costs and their long term future. Should this be the case then Staff can pursue a new lease with PTA and then a new arrangement with the Club(s).

Should Council not favour the clubs remaining in the long term then action can be taken to finalise the matter.

Whatever Council's position, matters need to be documented so all parties are aware of their respective positions and obligations.

**Statutory/Policy Implications**

Nil

**Financial Implications**

Loss of revenue at MRC&LC and unnecessary costs of operating marginal facilities unless the leaseholder meets all costs.

**Officer's Recommendation**

*That Council determine its position on continuing such arrangements following which discussions be held with relevant parties to finalise matters.*

**30907** Moved: Cr K Hooper                      Seconded: Cr M Crees

**Resolution**

- 1. That Council enter into a lease with the Public Transport Authority over Reserve 13267.**
- 2. That Council offers a three year lease to the Railways Tennis Club and the Bowling Club with a renewal option at Councils discretion with the lessee being responsible for all outgoings and costs associated with finalising the lease and incurred by Council in entering into a lease with the Public Transport Authority.**

**CARRIED 7/0**

13.2 **COMMUNITY BUS – ANNUAL ELECTORS MEETING**

<b>Reporting Department:</b>	Administration
<b>Reporting Officer:</b>	CEO
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	
<b>Disclosure of Interest:</b>	Nil
<b>Attachment:</b>	Survey Results

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**Background**

At the Annual Electors Meeting held in February 2012, a concerned citizen raised the issue of availability of a bus for community use and commented on the need for the bus to be fitted with seat belts.

**Comment**

Recently a survey was undertaken of adjoining Shires to determine whether buses were available in the region rather contemplating the purchase of vehicle to be located in Merredin.

The results of the survey are at **Attachment 13.2A**. Of particular note is situation regarding seat belts. There is no requirement for belts to be fitted although new buses are equipped with belts. The bus at Kellerberrin is fitted with belts and is the only one in the region to be so.

There are a number of alternative arrangements available regionally although the cost of usage would appear to vary substantially. Rather than considering purchasing a Merredin bus it is recommended that the availability of buses be advertised locally and it be suggested to residents that they make use of them.

**Statutory/Policy Implications**

Nil

**Financial Implications**

The capital cost of a 20 seat bus is in the vicinity of \$120,000 and is currently beyond the capacity of Council's reserve funds to provide for such an acquisition.

**Officer's Recommendation**

- 1. That the information be noted.***
- 2. That the findings relating to a community bus be communicated to concerned residents***
- 3. That the availability of buses from adjoining Councils be advertised.***

**30908 Moved:** M Morris

Seconded: W Wallace

**Resolution**

- 1. That the Shire of Merredin advertise the fact that it is prepared to apply for a grant from Lotteries West for the purchase of a Community Bus, but the application will only proceed based on the financial support of community organisations.***
- 2. That the bus to be under the ownership and responsibility of the Shire of Merredin.***
- 3. That the bus be operated on a cost recovery and replacement basis.***

**CARRIED 5/2**

13.3 **WHEATBELT CATCHMENT ALLIANCE - SUPPORT**

**Reporting Department:** Administration  
**Reporting Officer:** CEO  
**Legislation:** Nil  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Attachments:** Correspondence

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**Background**

Correspondence has been received from the Wheatbelt Catchment Alliance seeking support for a funding application and establishment of an organisation to manage a project if the funding application is successful.

The correspondence is at **Attachment 13.3A**.

**Comment**

The correspondence is self-explanatory. It would appear that Council has supported the concept by contributing funding toward the business plan and on that basis support in principle on this occasion should be offered.

**Statutory/Policy Implications**

Nil

**Financial Implications**

Should the application succeed Council may be required to contribute up to \$4000 towards the administration costs of the project or Council may decline to do so.

**Officer's Recommendation**

***That the Wheatbelt Catchment Alliance be advised that Council supports in principle its project to construct drainage channels in the region.***

**30909** Moved: Cr M Crees                      Seconded: Cr W Wallace

**Officer's Recommendation**

***That the Wheatbelt Catchment Alliance be advised that Council supports in principle its project to construct drainage channels in the region conditional upon there being no cost of construction or operation to local government.***

**CARRIED 7/0**

Cr M Morris declared an interest affecting impartiality as he may be the returning officer at the next state election and the Hon Max Trenorden may be a candidate.

13.4 **REGIONAL SUBSIDIARIES BILL - SUPPORT**

**Reporting Department:** Administration  
**Reporting Officer:** CEO  
**Legislation:** Local Government Act 1995  
**File Reference:**  
**Disclosure of Interest:** Nil

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**Background**

As Councillors would be aware the Hon Max Trenorden has championed a Bill to amend the Act to permit Councils to act as trading entities. The passage of the Bill through Parliament has proved difficult in that it does not enjoy broad support.

**Comment**

The following has been received by email:



**HON. MAX TRENORDEN MLC**  
Member for the Agricultural Region

Chief Executive Officer  
Mr Greg Powell  
Shire of Merredin

Dear Greg

Recently there was a parting of the way between myself and the National Party in Western Australia.

I have been seeking a Member of Parliament to give carriage of my Bill titled "Local Government Amendments (Regional Subsidiary) Bill 2010" through the Legislative Assembly; the Bill has passed through the Legislative Council late in 2011 and a successful passage through to the Legislative Assembly will make "the Bill" law.

The National Party Leader Hon Brendon Grylls MLA, Minister for Regional Development has been reluctant to pursue "the Bill". John Hyde, MLA Member for Perth and Shadow Minister for Local Government has shown an interest in taking my bill from the notice paper and have it debated. Minister for Local Government Hon John Castrilli, MLA has made it clear that he would prefer "the Bill" to lapse.

The purpose of this correspondence is to inform and advise you that if you want “the Bill” to become law some lobbying is necessary.

Thanking you in anticipation.

Yours truly,



Hon Max Trenorden MLC  
Member for the Agricultural Region

12 June 2012

There is merit in having the ability to trade either individually or as a group of Councils. As suggested, Parliamentarians should be lobbied to ensure the Bill is debated.

**Statutory/Policy Implications**

Greater flexibility in revenue generating activities should be evident should the Bill be passed into law.

**Financial Implications**

Nil

**30910** Moved: Cr Hooper                      Seconded: Cr Crees

**Officer’s Recommendation**

***That the Hon Minister for Local Government, the Shadow Minister and local politicians be lobbied to support the Regional Subsidiaries Bill and that WALGA be encouraged to lobby in support of the Bill.***

**CARRIED 7/0**

13.5 **DELEGATIONS REGISTER - REVIEW**

<b>Reporting Department:</b>	Administration
<b>Reporting Officer:</b>	CEO
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	
<b>Disclosure of Interest:</b>	Nil
<b>Attachment:</b>	Delegations Register

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**Background**

The purpose of the Delegations Register is to delegate some of the functions of Council to the Chief Executive Officer so they can be administered without reference to Council. This enables many routine matters and decisions to be dealt with promptly and efficiently.

Council adopted the current register at its December 2010 meeting. The register is at **Attachment 13.5A**.

**Comment**

The current register differs from that adopted in December 2010 in that it contains additional delegations resulting from the gazettal of LPS 6.

A review of the balance of delegations indicates they are relevant and current and should be endorsed.

**Statutory/Policy Implications**

The Local Government Act 1995 Section 5.42 indicates that Council can delegate some of its powers or the discharge of any of its duties to the Chief Executive Officer. A register of Delegations of Authority is required to meet Section 5.46 of the Local Government Act 1995 by being adopted annually.

An absolute majority of Council is required to adopt the Delegations Register.

**Financial Implications**

Nil

**30911** Moved: Cr M Morris                      Seconded: Cr Crees

**Officer's Recommendation**

***That Council adopt the current Delegations Register as presented in Attachment 13.5A.***

**CARRIED BY ASOLUTE MAJORITY**

- 13.6 **VOTING DELGATES – WA LOCAL GOVERNMENT ASSOCIATION AGM 2012**  
**Reporting Department:** Administration  
**Reporting Officer:** CEO  
**Legislation:** Local Government Act 1995  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Attachment:** Registration of Voting Delegates – WALGA Annual General Meeting
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### **Background**

The 2012 WALGA Annual General Meeting will be held prior to the Local Government Convention on Wednesday 1<sup>st</sup> August.

All Councils are entitled to be represented by 2 delegates. Only registered delegates or their registered proxy will be permitted to exercise their voting rights. Delegates can be either elected members or serving officers.

### **Comment**

Member Councils planning to exercise their voting entitlements are required to ensure their delegates are registered by no later than 9 July 2012.

In previous years Council's voting delegates have been the Shire President and Deputy Shire President.

### **Statutory/Policy Implications**

Nil

### **Financial Implications**

Nil

### **Officer's Recommendation**

*That Council nominates Councillors \_\_\_\_\_ and \_\_\_\_\_ as voting delegates and Councillors \_\_\_\_\_ and \_\_\_\_\_ as the proxy to enable Merredin Shire Council voting entitlements at the WA Local Government Association Annual General Meeting.*

**30912** Moved: Cr Hooper                      Seconded: Cr D Morris

### **Resolution**

*That Council nominates Councillors Crook and M Morris as voting delegates at the WA Local Government Association Annual General Meeting.*

**CARRIED 7/0**



13.7 **WEROC SPORT & RECREATION FACILITIES PLAN**

<b>Reporting Department:</b>	Administration
<b>Reporting Officer:</b>	CEO
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	WE-ROC Sport and Recreation Facilities Plan

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**Background**

WEROC (including Shire of Tammin) commissioned Solum Business Solutions to prepare a Plan to guide the development of facilities in the WEROC Councils. The Plan was funded jointly by member Councils and the Department for Sport & Recreation.

**Comment**

The Plan can be found at **Attachment 13.7A**. It is a comprehensive document outlining the facilities available in the region and plans for the provision of new facilities and upgrading of existing. It should be noted that should Council adopt the Plan there are financial implications in the short to medium term.

Although the Plan appears to address its stated objectives it could be argued that there is a missed opportunity in developing a plan which rationalises capital expenditure in the region, provides a cost benefit analysis on existing and new facilities and provides further guidance on asset management and replacement. It is however noted that further work is required to address the size and overlap of the boundaries of the various associations and fixturing which may go some way towards rationalisation.

It is recommended within the Plan that it be reviewed annually and this may provide an opportunity for its further development.

Councillors with direct sporting affiliations may have additional comments.

**Statutory/Policy Implications**

The Plan touches on the need to create sufficient reserves for funding the renewal of assets. Additionally, adoption of different funding mechanisms for cost recovery (at least partial) should be initiated.

**Financial Implications**

There are direct financial implications in the Plan for, in Merredin's case, for the upgrading of facilities. These costs will need to be included in Council's Long Term Financial Strategy (LTFS) together with grant income funding, at least partially.

**30913** Moved: Cr D Morris                      Seconded: Cr M Morris

**Officer's Recommendation**

- 1. *That the WEROC Sport and Recreation Facilities Plan be adopted.***
- 2. *That Council's LTFS be amended to reflect the needs of the Plan.***
- 3. *That Council undertake a review of funding and contribution mechanisms for sport and recreation facilities within the Shire of Merredin.***

**CARRIED 5/2**

Crs D Morris and M Morris declared a financial interest in Item 13.8 and left the Council Chambers at 3.08pm. Cr M Morris requested Council to consider allowing him to remain in the Chambers to participate in discussion on the Item.

**30914** Moved K Hooper                      Seconded: D Hayes-Thompson  
*That Cr Morris not be allowed to remain in the chamber due to the public perception that he could be influencing the outcome of deliberations due to the nature of his relationship with the Co-ordinator of the Community Resource Centre.*

**CARRIED 5/0**

**13.8    MERREDIN COMMUNITY RESOURCE CENTRE - RELOCATION**

**Reporting Department:**        Administration  
**Reporting Officer:**            CEO  
**Legislation:**                    Local Government Act 1995  
**File Reference:**  
**Disclosure of Interest:**        Nil

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**Background**

Directions, which has a current lease until October 2012 has vacated the old council chambers which is occupies in part with the Wheatbelt Development Commission. Directions also had an arrangement with Centrelink to deliver services to the Merredin Community. Staff has put an interim arrangement in place with Centrelink to ensure services continue to be delivered.

The Merredin CRC has expressed interest in taking over the Centrelink agency on a long term basis but will need to relocate from its current premises being the previous Women's Rest Centre into the old council chambers. It can access funding to renovate the building. The CRC seeks Council's permission to enter into a lease for a five (5) year term on a rent free basis.

**Comment**

The arrangement proposed is the same as that now applying to the previous Women's Rest Centre. The benefit to Council is that it would have a recently renovated building available for tenancy. An additional benefit is that renovations would be undertaken on the old council chambers at no cost to Council.

At this time, details are yet to be determined on the nature and extent of the renovations. Therefore Council's approval in principle is sought for the proposal.

**Statutory/Policy Implications**

Nil

**Financial Implications**

If Council is able to secure a tenant for the previous Women's Rest Centre, the transaction may be revenue neutral.

**30915** Moved: Cr W Wallace                      Seconded: Cr

**Officer's Recommendation**

*That Council agrees in principle to the Merredin Community Resource Centre entering into a rent free lease for a term of five (5) years conditional upon renovations being completed at its cost and that the CEO be delegated authority to finalise arrangements.*

Lapse for want of a seconder

**30916** Moved: Cr Hayes-Thompson                      Seconded: M Crees

*That Council agrees in principle to the Merredin Community Resource Centre entering into a rent free lease for a term of 3 years conditional upon renovations being completed at its cost and that the CEO be delegated authority to finalise arrangements.*

CARRIED 3/2

Cr D Morris and M Morris returned to the meeting at 3.31pm.

**14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

Council considered local projects that may be eligible for funding through the Collgar Community Fund.

It was AGREED that priority projects without determination of the amount of financial support or the year in which the project should be funded are:

1. Merredin Men's Shed
2. Completion of the synthetic playing surface and surrounds at the MRC&LC
3. Expansion of the Merritville Retirement Village

**17.0 MATTERS BEHIND CLOSED DOORS**

Nil

**18.0 CLOSURE**

There being no further business the President declared the meeting closed at 4.15pm.